

1905-004 Chancery Causes: A. K. Debusk vs. Admr. of Charles Warholm &
Lee Co.

Ball, Wilson, Wygal, Shuffelbarger, Tritt

CA - Debt
T - Property

TO the Hon. H. A. W. Skeen, Judge of the Circuit Court for
Lee County, Virginia:

Humbly complaining your orator, A. K. Debusk, would respectfully represent and show unto your honor, that one Charles Warholm, a citizen of Dryden, Virginia, departed this life intestate on the ____ day of _____, 19____, seized and possessed of a very small personal estate, but the owner of a house and lot in the town of Dryden, Virginia, and shortly after his death, his wife, Janette M. Warholm also departed this life, leaving three small children, namely, Ura M. Warholm, aged nine years, Per I. Warholm, aged six years, and Laura H. P. Warholm, aged four years, to whom the said real estate descended. The said Charles Warholm was indebted to your orator at the time of his death in the sum of \$95.00, due by account and since his death, administration of his personal estate has been committed to P. M. Ball, Sheriff of Lee County, Virginia for administration, and on the 6th day of May, 1905, your orator obtained, against the said administrator, before H. C. Joslyn, a Justice of the Peace of said County, a judgment on his said debt, which judgment and the execution issued thereon is herewith filed as part hereof, marked "A", no part of said judgment has ever been paid to your orator, and the same is justly due and owing to him. There is no personal estate in the hands of the administrator that can be applied to the payment of the debts of the said decedent, ^{of which your orator has knowledge,} and your orator is informed that there are other debts against said estate, and he files this bill on behalf of himself, and all other creditors of the said Charles Warholm, who will come into and contribute to the cost of this suit. Now, therefore, the object of this bill is to settle the administration account of the said P. M. Ball, administrator as aforesaid, and ascertain whether or not there are any assets in his hands for the payment of the debts, and to ascertain the indebtedness against said estate and their priorities, if any, of such indebtedness, and if necessary to subject the ^{said} house

and lot to the payment of said indebtedness, and your orator deems it proper to state in this connection, that in his opinion, it would not be advisable to undertake to sell a portion of the said lot only, but that it would be advantageous to the said infants that the entire property be sold as a whole, and the proceeds derived therefrom, after the payment of the debts, and cost of this suit, kept at interest for the benefit of the said infants until they arrive at the age of from twenty-one years respectively. The said property will probably sell at a fair price as a whole, while a sale of only a portion of it, if that could be done, would probably depreciate the value of the residue. The said lot contained one and one-half acres, and has a dwelling house thereon one and one-half stories high, with kitchen and dining room same height, and in all eight rooms. There is also a smoke house barn or stable and other out houses. The said house and lot is bounded on the east by E. M. Gilbert and J. T. Hall, on the south by said E. M. Gilbert, on the west by Prude Wilson and on the north by the N. & L. R. R. Right of Way.

Your orator's prayer, therefore, is that the said P. M. Ball, administrator as aforesaid, and the said Ura M., Per I., and Laura H. P. Warholm be made the parties defendants to this bill and the said infants by a Guardian Ad Litem to be appointed for them, required to answer the same, but not on oath, answer under oath being waived, and that on a hearing, the relief above sought be granted your orator, together with all such other, further and general relief as may be suited to the case, and the circumstances may require, And your orator will ever pray &c.

Chas. A. Neil p.q.

A. K. Dehusk

Bill in Chy.

P. M. Ball Schurty
al.

C	5.88
A	15.00
S	5.50
G. A. L.	5.00
Cour	10.50
	<hr/> 36.88

1905. 1st June Rules
Bill filed, D. N.
executed as to
P. M. Ball and D. N.
as to him and line.
of infant-defendants
filed by G. A. L.

" 2nd June Rules
D. N. confirmed
and date set
for hearing.

To the Honorable H.A.W. Skeen, Judge of the Circuit Court of Lee County Virginia:

Your petitioners, Ura M. Warholm, born June 30'1896, Per I. Warholm, born October 10'1898, and Laura H.P. Warholm, born Feb. 4'1901, infant children of Charles and Jennette Warholm dec. and who petition o your honor by their Grand Mother and next Friend Prudy Wilson, respectfully represent and show unto your honor that their Father Charles Warholm, died on the 4'day of October 1903, leaving your petitioners and their Mother Jeanette as his heir heirs at-law that the Mother died on the 13'day of September 1904; that our Father was in his life time a resident of Lee County Virginia, a householder and head of a family in said County residing at the town of Dryden, that their said Father nor Mother in their lifetime set apart and claim exempt their "Homestead" Exemption as provided for them in Chapter 178 of the Code of Virginia.

Your petitioners state that since the death of their Father and Mother, they have resided with their Grand Mother, at their own home, at Dryden Lee County Va. that their Father and Mother left them some Household and Kitchen furniture and a house and lot situated in the town of Dryden Lee County Va.; that one A.K. Debusk an alleged creditor, has had an administrator appointed for your petitioner's Father estate and is seeking to sell their home by suit instituted in the Circuit Court of Lee County Va. styled A.K. Debusk against P.M. Baill Administrator and others. Your petitioners are advised that under Sections 3635 & 3640 of the Code of Virginia, that they have the right to petition your honor to have set apart, and claim as exempt from sale the same property their Father would have been entitled to claim in his life time, by petition of Guardian or next friend to your honor's Court. Your petitioners allege that none of the debts reported in the aforesaid Chancery cause of Debusk waive the Homestead, except the J.T. Flanary debt, which has been fully paid. ✓

The object there fore of this petition is to have the following described property set apart, both real and personal, as and for our homestead exemption, under the Constitution of Virginia, and the law in pursuance thereof, said property of the following cash value:

First that certain house and lot in the town of Dryden Lee county Virginia containing about two acres and bought from our Father in his life time from Elkanah Pennington and wife, and bounded by the lands of the Louisville and Nashville Railroad Co. and others and

where he died, and where we and our Grand Mother Prudy Wilson now reside
valued at,----- \$800.

Second ; All household and kitchen furniture , consisting of
a cooking stove worth about \$10.3 beds and bedding worth about
\$10. chairs , knives and forks, and other things enumerated under the
Personal property exemption law, worth about \$30. ----- \$50.
Total \$850.

Your petitioners ask that this their petition for a homestead be treated
as filed in the afore said chancery cause, and reference to the
proceedings in said cause that the accounts there presented do not
waive the homestead; and your petitioners pray that their homestead be
set aside, by your honor or that you if necessary appoint Commissioners
to set it aside for them under your honor's decree and directions;
and that said cause be dismissed with costs, and they pray for all
other proper and general relief, that their petition requires and to
equity seem meet and they will ever pray &c.

Ma-M. Warholm.

Per. J. Warholm.

Laura. H. P. Warholm.

By Prudy Wilson,
next friend.

M. G. Ely. atty

A. K. Debusch-
vs. Petition for
Homestead.
D. M. Ball adm. et al.

In the Circuit Court for the County of Lee,
to-wit:

THE ANSWER OF *Mrs. M. Warholm, Per. J. Warholm,*
et Laura H. P. Warholm,

infants under the age of twenty-one years, by *M. G. Eely,*
guardian ad litem, assigned to defend *him* in this suit, to a bill of complaint exhibited against
them and others in the *Circuit* Court for the *County* of
Lee, by *A. R. Debush* and others.

The respondent, reserving to *themselves* the benefit of all just exceptions to the said bill, for
answer thereto, answering by said guardian ad litem, say that *they are* infants of
tender years, and by reason of such disability *are* incapable of understanding, or of
taking care of *their* rights and interests, *they* therefore commend the same
to the protection of the court, and prays that no decree may be pronounced which will tend
to *their* prejudice.

And having answered, the respondent pray to be hence dismissed with *their*
reasonable costs, in this behalf expended; and *they* will ever pray, &c.

M. G. Eely, Guardian ad litem.

p. d.

County
OF
Lee } ss.

This day, *M. G. Eely*, whose name is signed to
the foregoing answer, personally appeared before me, *H. C. J. Ewing Clerk*,
and made oath that the statements made therein, so far as they depend upon his own knowl-
edge, are true, and so far as they depend upon knowledge derived from others he believes them
to be true.

Given under my hand, this *2nd* day of *June* 19*08*

H. C. J. Ewing, Clerk

Wm. Markham et al,

adv. }

ANSWER
OF
INFANT DEFENDANT.

A. K. Debusch.

Filed June 2nd
1905.

H. T. Ewing,
Clerk.

G. A. L. Fee \$500

A. H. Debush, Plaintiff
vs. E. L. In Chancey -

O. M. Ball, adm. et al. Defendants.

This cause came on this day to be heard upon the papers formerly read in the cause, the report of Commissioner R. W. Orr, and petition of infant defendants by their next friend Prudy Wilson and general replication thereto and was argued by counsel: -

On consideration of all which, the court is of opinion that the infant defendants are entitled to have their homestead set apart as is set out in their petition, and doth so adjudge order and decree, and the court doth further decree that said plaintiffs bill be dismissed ^{without prejudice} as to his claim against the estate of Charles Washburn Dec. does not waive the Homestead, and all claims waiving the homestead having been paid, and the court doth further decree that the infant defendants by their next friend recover of the plaintiff their costs in this behalf expended including an attorneys fee to be taxed by clerk for which execution may issue, and said cause is stricken from the docket without prejudice to any right that may accrue to the plaintiff hereafter to collect his judgment in the bill mentioned.

A. K. Debusch:
no. 44 Serenissima

P. M. Ball adm. utols

Entered in C. B.

No 8 Page 98-

Enter this

H. A. W. Stuen

Dec. 12 - 1905.

At a Circuit Court continued and held at the Court house thereof ~~at~~ Tuesday December 12, 1905.

PRESENT: Same Honorable Judge as on yesterday.

A. K. DeBusk- - - - - Plaintiff
vs(In chancery

P. M. Ball, Adm'r. et als- - - - - Defendants.

This cause came on this day to be heard upon the papers formerly read in the cause, the report of Commissioner R. W. Orr and petition of infant defendants by their next friend Prudy Wilson and general replication thereto and was argued by counsel.

On consideration of all which, the court is of the opinion that the infant defendants are entitled to have their homestead set apart as is set out in their petition and doth so adjudge, order and decree and the court doth further decree that said plaintiffs bill be dismissed without prejudice as his claim against the estate of Charles Warholm ^{dec} does not waive the homestead, and all claims due, waiving the homestead having been paid, said cause is stricken from the docket without prejudice to any right, that may accrue to the plaintiff hereafter to collect his judgment in the bill mentioned.

Copy of final order
in Chancery cause of
A. K. Debusch.
vs.

P. M. Ballardum et al.

A. K. DeBusk,

Plaintiff

vs.

In Chancery

F. M. Ball, Admr. et al

Defendants.

This cause came on to be heard upon the bill of the plaintiff and exhibits therewith, the process duly executed on P. M. Ball, Administrator of Charlie Warholm, deceased, the answer of Ura M. Warholm, Per I Warholm, and Laura H. P. Warholm, infants, by M. G. Ely, their Guardian Ad Litem, the cause regularly matured at rules, ^{and set for hearing by plaintiff} and was argued by counsel. And the said P. M. Ball, Administrator &c., failing to appear, demur, plead or answer the bill is taken for confessed against him.

On consideration thereof, it is adjudged, ordered and decreed that R. W. Orr who is appointed a commissioner for the purpose do state and settle the account of the said P. M. Ball, Administrator of Charlie Warholm, deceased, and ascertain what personal estate, if any, is in his hands for the payment of the funeral expenses, debts &c. And that he also ascertain and report the outstanding indebtedness of said estate, to whom due, and the priorities, if any, and whether or not the real estate in the bill mentioned will have to be sold to pay the indebtedness of the said estate, ^{and if sold} ~~and also~~ whether or not it will be to the interest of the infant defendants that the house and lot should be sold as an entirety, and the funds thus arising, if any after the payments of the debts, funeral expenses &c., ~~and~~ kept at interest for the benefit of the infant defendants until they arrive at the age of twenty-one years, or invested in other real estate. Said commissioner will report upon any other matter deemed pertinent by himself or requested by any of the parties in interest, and return with his report the evidence upon which he basis his actions. And the cause is continued.

A. K. Delusk
vs. Decree 101.

P. M. Ball Shurtz et al

Entered in C. O. B.
8, page 68.

Enter this Decree.
Hawthorne
Sept 19 1905.

The depositions of Prudence Wilson, James B. Nygalt & J. A. Shuffelbarger. Taken before the undersigned Commissioner in taking an account at Dryden Va. on the 28th & 30th days of October 1905, in the chancery cause of A. K. Dehusk vs P. M. Ball Administrator of Charles Warholm deceased & others.

Present - James W. Orr, counsel for Complainant, and M. G. Ely guardian ad litem for the infant defendants.

The said Prudence Wilson a witness of lawful age and being duly sworn deposes and says, I was well acquainted with Charlie Warholm, he married my daughter, Jennette. He died about Oct 4th 1903, ^{this wife died Sept 13th 1904.} and left three children, Wm. M. born June 13th 1896. Per J. born Oct 10th 1898. and Laura O. P. born Feb 4th 1901, as shown by the family record. I know the fact that said Charlie Warholm worked for A. K. Dehusk for several years before his death and clerked same in his store and got goods &c from Mr Dehusk for himself and family and I remember he got a cook stove at about \$30.00 not a great while before his death, and I heard him say not a great while before his death that he owed Mr Dehusk, and heard his wife say so after his death, and I have no doubt it was true that he owed Mr Dehusk at the time of his death. I heard him ~~say~~ speak of paying Mr Dehusk same along but I do not know what amount

he may have paid him or what balance he
owed him. And further this defendant with not.
Prudence ^{per} Wilson
~~mark~~

James B Wygal a witness of lawful age and
being duly sworn deposes and says.

I am 48 years of age and reside at Dryden Va.
I am well acquainted with the house and lot
in Dryden, ^{said to have been} owned by Charlie Warholm deceased
at the time of his death, and said to contain
about two acres. there is a dwelling house
on the west end of the lot and some out build-
ings, such as smokehouse, wood shed, coal house
&c, a well, and a barn on North side of lot
near the middle, some fruit trees. The dwelling
is one & a half stories house, two rooms in
front down stairs, with kitchen and dining
room in rear. The two front rooms up stairs
are not finished, only one room up stairs over
kitchen and dining room, which I think is
finished. If the said property ^{or a portion thereof} has to be sold to pay
the debts, I am of opinion that it should be
sold as an entirety and that it will be to the
interest of the infant defendants for this to be
done and their portion of the money derived
from said sale kept at interest until they
arrive at 21 years of age, and that this will
be better for them than to sell a parcel of said

property & leave the residue unsold.

I think the property is reasonably worth seven or eight hundred dollars, and that its rental value should be something like \$50.00 per annum. And further this deponent soith nat.

James B. Wygal

J. A. Shuffelbarger another witness of lawful age and being duly sworn deposes and says. I am 41 years of age, reside at Dryden Va. and am depon. agent. I am well acquainted with the Warholm property, and I have read the deposition of James B. Wygal, just taken, and as to said property, its value, and rental value, and the propriety of selling it as a whole in case a portion of it has to be sold to pay the debts. I fully concur in his statements and adopt them as my own.

And further this deponent soith nat.

J. A. Shuffelbarger

P. H. Pratt another witness of lawful age and being duly sworn deposes and says. I am clerk for A. T. Delusk in his store at Dryden Va. and have been about 3 months, and have to day copied an account for Mr Delusk from his books kept by him in his store at Dryden, against Charlie Warholm, and in which books he has

a number of store accounts against various persons.

Tues.

Will you please file with this your deposition the said copy of account made by you from said books, as part of your deposition.

Sat.

I will file the same herewith, marked "Account," & name file the same so marked.

I was not clerk and book keeper for Mr Delusk at the time the account was made.

And further this defendant saith not.

P. H. Mitt

D

The foregoing depositions of Prudence Wilson James B. Hygal, J. A. Shufflebarger, & P. A. Zett were taken subscribed and sworn to before me at the time and place and for the purposes in the caption mentioned. Given under my hand this 30th day of October, 1905.

Robert W. Orr
Comm

A. R. Delusk

vs J. Delusk

P. M. Ball Sheriff

Depos.

A. K. Debusk,

Plaintiff.

vs.

In Chancery.

P. M. Ball, Admr. &c. et al,

Defendants.

The undersigned commissioner in this cause respectfully reports, that pursuant to the decree in the cause at the last term, he proceed on the 28th and 30th days of October, 1905, in Dryden Virginia, to execute said decree, after giving to the parties due and timely notice, and in the presence of James W. Orr of Counsel for Plaintiff and M. G. Ely, counsel for P. M. Ball, Administrator of Charlie Warholm, deceased and guardian ad litem for the infant defendants.

Your commissioner finds that the said Charlie Warholm departed this life at Dryden, Virginia on the 4th day of October, 1903, intestate, and that his wife, Jennette Warholm, died September, 13th, 1904, and that they left three children, viz; Ura M. Warholm, born June 13th, 1896, Per I. Warholm, born October 10th, 1898, and Laura H. P. Warholm born February 4th, 1901, to whom the estate of the said Charlie Warholm descended; and that the said Charlie Warholm left no personal estate to be administered, consequently there is no account of defendant Ball as his administrator to be settled, and there are no assets in his hands to be applied to the payment of debts against said estate, and funeral expenses. The said Charlie Warholm was the owner at the time of his death of a house and lot in the town of Dryden in which he resided, worth, as shown in the depositions, from seven to eight hundred dollars, and the rental value of which is \$50.00 per annum. Your sommissioner has prepared and filed herewith as part of this report, marked "1" a list of debts against the estate of Charlie Warholm, deceased, including in the plaintiff's claim some funeral expenses amounting to \$ 16.65, and which list of indebtedness amounts on the ____ day of December, 1905, to the sum of \$ _____ to which he has added the estimated cost of

this suit amounting to \$ 41.00 making an aggregate sum of \$ 182.08
according my view, but as claimed by plaintiff amounts to \$205.60
to be raised from the sale of the said real estate, or a portion there-

of. There are no priorities as to said indebtedness that need to be stated, as the real estate is ample to pay the indebtedness and more too. As before intimated the indebtedness of said estate will have to be provided for by a sale of the said house and lot, or a sufficient portion thereof, and your commissioner is of opinion from the evidence before him, together with his own knowledge of said property that it will be to the interest of the infant defendants that the house and lot be sold as an entirety, and the funds arising from said sale, over and above a sum sufficient to pay the debts, and expense of suit, kept at compound interest for said infants, until they arrive at twenty-one years of age respectively, as it would, in his opinion, depreciate the value of said property to sell a portion thereof, and leave the residue unsold.

The evidences of debts presented to your commissioner are herewith filed, numbered in the margin of the statement or list thereof. The note in favor of Mattie Wilson for \$25.00 executed by Charley Warholm, January 13th, 1898, and due six months after date, and the note in favor of E. S. Flanary and Madison Cooney executed by Charley Warholm Feb. 4th, 1899 due one day after date, subject to credits endorsed thereon, presented before your commissioner, your commissioner has not allowed as debts against said estate, being of opinion that these two notes are barred by limitation. As to the judgment in favor of the plaintiff for \$95.00 with interest from May 6th, 1905, and 50 cts. cost. It was insisted by plaintiff's counsel that the judgment is conclusive, and that plaintiff is entitled to the amount of said judgment, while it was contended by counsel for the administrator that I should go behind the judgment and ascertain whether or not the account on which said judgment was rendered, or any part thereof, was barred by limitation at the time the judgment was rendered. It was also contended by plaintiff's counsel that if this was

done, that the credits given on the account, (which is filed with the other evidences of debt and runs from June, 1901 to Oct ? 4th, 1903, the date of the death of the debtor) should be, and are applied by law, first to the oldest items of said account, and when this is done that the balance due on the account is not barred by limitation. If the credits are all applied first to the oldest items they will pay the account down to December 5th, 1905, and the residue of the account after that date would not be barred, and this residue of \$103.90 and 50 cts. cost of judgment, is the amount claimed by plaintiff in his view of the case as being due him. But your commissioner is of the opinion that the account of plaintiff is barred except as to the sum of \$83.01, and he arrives at this conclusion in this way, by treating all the items of the account prior to April 28th, 1902, being three years before suit was brought before the justice on said account, as barred by the Statute of Limitations, and thus finding the items since then to amount to said sum of \$83.01. To this amount should be added 50 cts. cost of judgment. In order, however, that your honor may correct me, if I am in error, I have stated the claim of plaintiff both ways. See statement of debts herewith . The depositions taken by your commissioner are herewith filed as part hereof marked "Dept." Your commissioner reports that there are no unpaid taxes against said property.

Robert W. Orr
COMMISSIONER

TO THE HON. H. A. W. SHEEN? JUDGE OF THE LEE CIRCUIT COURT.

A. K. Delusk.
vs { Cairns Report
P. M. Ball Adms et al.

Filed 3rd / 1905.

Cairns fee \$10.50

paid Dec 14 1905
List of debts against the estate of Charley Warholm
Deceased with interest calculated to December 1st, 1905.

First. Note to J. F. Flanary, executed February,
15th, 1905, and due in one day for..... \$8.00
Interest thereon to Dec. 1st, 1905..... 1.82
\$9.82

Second. Account due Prudence Wilson, with interest
from Sept. 1st, 1902, on \$5.00 part \$31.50
thereof and on \$26.50 the residue from Nov.
1st, 1902. 5.88
\$37.38

Third. Amount allowed palintiff on his account
and judgment by Commissioner, with in-
terest from Oct. 4th, 1903.....\$83.01
Interest to December 1st, 1905..... 10.79
\$93.80

Fourth. To Amount of estimated cost of suit..... 41.00
\$182.00

Amount of plaintiff's claim as claimed
by him, balance of account..... \$103.90
Interest thereon to Dec. 1st, 1905,..... 13.50
\$117.40

In this last view the total amount of
indebtedness and cost would be..... \$205.60

A. K. Delusk

vs { List of debts.

P. M. Ball Shur et al.

1902.
Aug.
Oct.

Charlie Warholm. decd.
Lo Prudence Wilson
Lo cash loaned year.
" " " "

Dr
\$5.00
26.50
\$31.50

Virginia, Lee County, to wit:-

This day Prudence Wilson personally appeared before me and made oath that the foregoing account in her favor against Charlie Warholm decd. of \$31.50 is just and unpaid. Given under my hand Oct 30th 1905.
R W Orr Comr.

Also Mary J Parsons personally appeared and made oath that she knows the fact that Prudence Wilson did loan Charlie Warholm the above \$5.00, or at least said Warholm had five dollars which he said he had gotten from her, and D. K. Delusk also personally appeared and made oath that he knows the fact that Prudence Wilson let Charlie Warholm have \$26.50 which he, said Delusk, lent to her, and he has no knowledge of the same ever having been repaid by him to her, said Warholm worked for said Delusk and that he heard him say more than once that he could not pay and he has no idea the same was ever paid to said Wilson.
Given under my hand Oct 30th 1905.
R W Orr Comr.

Prudence Wilson

vs { Acct # 31.50

Chas. Washburn's Est.

Statement of

1

1901

Charley Warholm, To A. K. Delaney

June	22	To Amr from Old Book	Page 861		
"	22	" Soap	39	20	
"	22	" Suspenders	40	25	
"	"	" Cash	40	100	
"	25	" Chickens	42	37	
"	25	" Flour 66 Order to ^{Patience} Mrs. Fitz	46	195	
July	2	" Peppermint & Iron	51	20	
"	6	Cr By work	56		102
"	10	To Goods & Order	61	77	
"	11	" Paint Oil & Lumber	61	503	
"	11	By work	61		150
"	29	To Flour	78	65	
Aug	1	" Flour	92	60	
"	7	" Thread	101	05	
"	12	" Merchandise	108	140	
"	12	Cr By Cash	108		20
"	17	To Sugar	114	25	
"	17	" Syrup & 80 Blueing	114	85	
"	17	" By Cash	124		500
"	22	" Flour		100	
"	31	" Auger	134	25	
Sept	2	Flour	137	65	
"	11	Sugar	148	25	
"	14	meat & Flour	153	105	
"	17	Cr By Cash	156		200
"	23	To Skirt Cloth & Hat	162	1150	
"	24	" Flour	164	65	
January			3213		\$9.725

Oct	9	To Flour	182	32 18	9 72
"	9	To Flour	182	60	
"	17	" Flour & Sugar	193	85	
"	22	" Oil	199	10	
"	26	" Flour & Shirt	206	3 00	
"	29	By Cash	208		1 50
Nov	13	To Oil	228	10	
"	14	By mark	228		1 50
"	25	To Merchandise	239	60	
Dec	3	" Rice & Flour	247	85	
"	4	" Coffee ^{Copra .05 Calico 30 Shreds 30} _{Butter 4.5 Pan 5} ^{Cutting 15}	248	1 35	
"	6	10 # Meat	250	1 25	
"	7	To Flour	252	60	
"	"	Butter	252	07	
"	10	" Tobacco 10	254	10	
"	11	" Coffee 3x	256	3 0	
"	11	By Cash	256		5 60
"	19	" " "	265		3 00
"	28	Sugar	275	30	
"	31	Soda	279	05	
Jan	4	Medicine Per Dr Ely	283	3 0	
"	9	Meat	288	1 50	
"	9	By mark	288		2 00
"	11	" " "	290		1 00
"	14	To Merchandise	298	40	
"	16	" Beef	294	8 34	
"	23	" Sugar	303	5 21	24 32
"	"	By C. E. Johnson	303	2 5	8 34
Feb	14	To Flour	320	60	
"	24	" Spices	328	2 00	
Mch	23	" Chewing Gum	338	05	
			338	05	

"	4	" Candy	340			200
"	6	Er By Cash	343	1 60		
"	10	To Heat				
"	13	Er Cash & mark	348			250
"	15	To Flour Er 15	349	65		1 15
"	22	" To Goods of John ^{Parsons}	361	3 08		
Apr.	16	Er By Chickens	387			210
"	19	To Bluing	394	05		
"	25	" Eggs	399	61.30	1 8	40 41
May	2	" Tomatoes	408	60		Deband
"	6	" Sugar	413	25		
"	7	" Banannas	414	10		
"	8	" Treighr	415	1 22		
"	9	" Rice & Lard	416	3 4		
"	14	" Eggs	421	11		
"	15	Er By Cash	422			60
"	19	To Cane & Sugar	426	73		
"	23	" Coffee	430	25		
"	26	" Gracnis	434	33 0		
"	28	" Flour	436	65		
"	31	" Sugar & Tomatoes	440	50		
"	31	" Liniment	441	25		
Jun	2	" Coffee	443	88		
"	4	" Tomatoes	445	30		
"	6	" Meat	447	2 21		
"	7	" Syrup & Tomatoes	450	75		
"	9	" Lard & Tomatoes	450	1 42		
"	9	" Flour	450	65		
"	11	" Cane	452	20		
"	11	" Beans & Tomatoes	453	95		
"	14	" Coffee	455	30		
"	18	" Beans & Meat	461	2 33		
		(Over)		79 03		41 01

1902					
Jun	18	To Cash & Tomatoes	464	79 03	41 01
"	20	" Sugar	464	55	
"	21	" Tomatoes	465	25	
"	23	" Beans	467	25	
"	23	" Tomatoes & Corn	467	55	
"	23	" Roofing	468	60	
"	25	" Flour & Coffee	469	90	
"	26	" Tomatoes & Corn	471	48	
"	27	" Lard	471	25	
"	27	" Beans	472	50	
"	28	" Meat & Flour	472	38 0	
"	28	" Cash	474	1 00	
"	28	Cr By C.E. Johnson	00		29 67
"		To Tomatoes & Corn & Lard	474	2 00	
"		" Cash	475	4 00	
"	30	" Corn & Tomatoes	476	50	
July	1	" (Dr. wife) Domestic	477	1 44	
"	2	" To Flour	479	65	
"	2	" Tomatoes & Corn	479	50	
"	4	" Watermelon	482	30	
"	5	" Goods	483	65	
"	7	" Soap	484	05	
"	7	" Flour & Lard	484	1 35	
"	8	Cr By C.E. Johnson	485		8 45
"	8	To Soap	485	05	
"	16	" Goods	491	1 08	
"	19	" Slippers	494	1 50	
"	22	" Shirts	494	1 60	
Total to 2nd Shur			10433		74 13

(2^{ms})
 Amt from first Sher

Page 10438

74 13

1902

July

26 To Baking Powders

500 0 5

28 " Flour

500 65

29 " Sugar

503 25

30 " Sugar

504 50

Aug

6 " Goods

513 05

14 " Sugar

520 25

16 " Oil & Lard

522 80

22 " Coffee

530 30

28 " Flour

534 65

Sept

3 " Sugar

547 25

4 " Goods

549 1 08

6 " Lapaline

552 15

6 " Medicine

553 1 30

10 " Goods

557 35

11 "

558 35

13 " Coperas

562 10

15 " Gault & Flour

564 70

16 Cr By Cash

565 500

18 Vinegar

567 10

18 " Oil & Shingham

568 40

20 " Shoes & Socks

570 100

22 " Salt

572 10

28 Cr By Cash

573 100

28 " Medicine

575 65

27 " Meat

577 67

Oct

4 " Gum & Thread

587 17

9 Sugar

592 25

11 Cr By mark

593 175

Take Forward

11545 81.88

Brt Fairman

				115	45	81	88
Oct	11	To Lard	594	50			
"	18	" Sugar & Baking Powder	6	30			
"	21	" Balance on Mar	10	17			
"	22	" Oil	11	85			
"	25	" Flour & Coffee	14	95			
"	25	" Sugar	16	25			
"	29	" Goods & Co 300	18	325	300		
Nov	12	" Mar	31	120			
"	20	" To Cash	40	100			
"	21	Or By Cash				100	
"	27	To Goods	50	50			
"	27	" Oil & Lard	51	72			
1902							
Dec	1	To Shop	55	85			
"	5	" Shirt & Gloves	60	75			
"	6	Or By Cash	68			100	
"	10	To Groceries Soap	66	05			
"	13	" Oil Or By Cash 100	70	10	100		
"	24	" Coffee & Goods	85	30			
Jan	17	" Soap	107	05			
"	19	Linseed Oil	109	38			
Feb	4	Mr Watcher Parsons	123	60			
"	6	To Tobacco & Maws	124	45			
"	7	" Tobacco	126	05			
"	23	"	137	10			
"	23	Goods & Milk	137	89			
"	26	Coffee & Rice	140	50			
"	28	L Loads of wood	142	175			
Mch	4	" Padlock	145	25			
"	7	" Pastry food	149	25			
"	12	" Flour	153	65			
"	14	" Goods	155	50			

"	14	"	157	150	
"	23	By	164		400
"	23	To goods		145	
Apr	3	" Store & Freight	179	28	44
"	4	" Grass Seed	181	1	00
"	7	" Flour	185	65	
"	10	" Harm Syrup	186	25	
"	11	" Goods	189	62	
"	14	" By Cash	189		700
"	20	To Free Stuff	195	109	
May	1	" Meal	204	30	
"	2	" Sada's Rice 25	206	30	
"	2	" Medicine	206	40	
"	8	" Meal	212	30	
"	11	" Druggs	215	05	
"	14	" Lard	221	65	
"	15	" Sugar	223	25	
"	16	" By Cash	00		600
"	20	" Thread	229	05	
"	21	" Meal	230	33	
"	26	" Meal 35 Tob	237	40	
"	27	" Fly Paper & Sifter	238	36	
"	28	" Fly paper & Sifter	239	105	
"	28	" Coffee	239	25	
"	30	" Lace	243	12	
June	2	" Meal Rice & Sugar	246	85	
"	4	" Corn	249	17	
"	8	"			
"	9	" To meal	259	38	
"	11	" 1/2 Bu Corn	259	38	
"	13	" Lard		50	
(Over)			17580	10488	

1903		Dr Forward			
June	15	Meal 38 Oat meal 10	265	175.80	104.88
"	18	" 20 Soda 5	268	25	
"	20	" Bal on Syrup	271	38	
"	20	To Bismuth	273	08	
"	24	" Flour	274	65	
"	26	" Meal	278	40	
July	1	" Tomatoes	284	20	
"	2	" Medicine & Flour	285	1.35	
"	2	" Goods Lard	285	49	
"	3	" Corn	286	2.13	
"	6	" Medicine & Sugar	287	16	
"	8	"	299	35	
"	9	"	298	40	
"	9	" Paid Watcher Parsons	294	50	
"	"	" Rice	295	25	
"	10	" Flour	296	65	
"	11	Cr by Chain Ducker		25	82
"	11	By McMill Board Bill 198			176
"	13	To Lard & Corn	301	68	
"	15	" Meat & Coffee	00	1.42	
"	16	" Medicine & Wood	304	52	
"	17	" Meal	306	40	
"	18	" Flour	307	65	
"	20	" Thread		05	
"	"	Cr By Board Bill			2.44
Parrot Third Sheet 3rd			188	39	189.90

		Amount paid from 2nd Aug			
1903					
July	21	Rice & Corn	317	188 39	109 90
"	23	Lard	318	39	
"	24	To Flour	319	65	
"	"	By Board	321	170	
"	25	To Meal	323	40	
"	28	" Tomatoes	327	20	
"	30	" Meal	331	40	
"	31	" Cloth & Thrift	332	84	
"	"	By Board Bill	335		1 45
Aug	1	To Meal	336	40	
"	3	" Lard & Rice	340	90	
"	4	" Meat	342	1 12	
"	5	" meal & lard	344	40	1 56
"	6	" Coffee	345	25	
"	"	By Mc Lain Board Bill	349	00	69
"	7	" Mullins Board Bill	349		2 45
"	10	To Merchandise	354	80	
"	14	" Books	365	17	
"	15	" Sugar	367	25	
"	18	" Coffee	373	25	
"	19	" Oil	375	10	
"	20	" Flour meal & Lard	377	1 15	
"	22	By Board Bill	382		2 12
"	24	Sugar & Oil	389	30	
"	26	Lard Sugar & Salt	395	95	
"	27	Lard & Flour	395	25	
"	28	Flour	397	70	
			201 35		118 15

(Over) Paid

Brt Forward		201	35	118	15
Aug 29	By Board Bill	408			212
" 31	To meat & Sugar	405	1 0 0		
Sept 1	" Coffee	408	2 5		
" 3	" Flour	402	6 5		
" "	" Medicine	413	3 5		
" 4	By Board Bill	416			240
" 7	To Flour meat & Salt	422	1 1 5		
" 9	" Lard	438	5 0		
" 10	" Meat Rice pepper	433	7 5		
" 12	" Supper	439	1 0		
" 17	" Sugar	446	2 5		
" 18	" Lard	449	5 6		
" 19	" Rice & Flour ⁹⁰ 356	458	9 0		350
" 19	" Medicine & Oil	454	3 0		
" 23	" Coffee & Sugar	460	5 0		
" 24	" Flour	462	6 5		
" 28	" Meat	471	5 0		
" 29	" Flour & Oil	472	7 0		
Oct 1	" Soda Salt & Soap	476	1 5		
" 2	" Flour & Chicken	479	1 0 9		
" 4	" Burying clothes	479	16 6 5		
" 4	" Coffee Sugar & Chickens		1 2 2		
" 4	" Meat	486	5 0		
			230 0 7	126 17	
			126 17		
			103 90		

Charley Washburn
with Sect.
A. R. Dehusk.

Account.

Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Friday, the 11th day of December, 1908.

At a Circuit Court held for the County of Lee, at the Court,house thereof, on the 11th day of December, 1908.

This day came ^{by V Sage Administrator of the} ~~the Darby Coal and Coke Company, a corporation, by~~
~~estate of Michael Robinett Dec'd~~
its attorney, who alleges that ~~it the said Darby Coal and Coke Company~~

^{property}
~~he~~ is aggrieved by an entry in the Land Book made by J. F. Skaggs, Commis-
sioner of the Revenue for the 3rd District, in Lee County, for the

^{1910 21 11}
year ~~1908~~, page ~~25~~, line number ~~25~~, whereby said ^{Michael Robinett} ~~Darby Coal and Coke~~

^{estate}
~~Company~~ is charged with one hundred and eighty three dollars and fifty
cents State taxes for the year 1908, on a tract of mineral land con-
taining fifteen acres, described as lying on Gin's Creek, bearing N.E.
from Courthouse, and distance therefrom seventeen miles.

^{upon}
And therefore the said Darby Coal and Coke Company, by its attor-
ney, moved the Court to exonerate it from the payment of one hundred
and five dollars and no cents (\$105.00) of the State Taxes so erron-
ously charged against it for said year; which motion was defended by
M. G. Ely, the attorney for the Commonwealth for said County, and the
said J. F. Skaggs, the Commissioner who made the assessment, was ex-
amined as a witness touching the application.

And it appearing that said book in which said alleged erroneous
entry has been made, was delivered to the Treasurer of the said County
on the thirty-first day of August 1908, and that the application for
redress against the erroneous entry was made on this day for the ~~first~~
first time; and it appearing that said J. F. Skaggs the Commissioner
who made the assessment, has assessed the improvements, fixtures and
~~improve~~ machinery on said land at fifty-thousand dollars, but that the
fair cash value of said improvements, fixtures and machinery is only
twenty thousand dollars.

All which the court certifies as facts proved upon the application
aforesaid. On consideration thereof, and upon such facts so proved,
the Court is satisfied that the said Darby Coal and Coke Company is
erronfously charged in said book with State taxes amounting to one

hundred and five dollars and no cents (\$105.00).

Whereupon it is ordered that the said Darby Coal and Coke Company be exonerated from the payment of one hundred and five dollars and no cents (\$105.00), State Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to said Darby Coal and Coke Company.

It is further ordered that said Darby Coal and Coke Company pay the costs of said motion

A copy,

Teste: H. L. Ewing, Clerk.

Darby Coal & Coke

vs.

Erroneous Asst.

Copy for Museum

This Note is for Perches money on land
for J. V. Kelley

\$25.00

Jan 13 1898

Six months after date I promise to pay to
the order of Mattie Wilson

Twenty five Dollars

at Value received we waive any all exemptions
laws do to this note

No. 1 Due
Wm. A. H. DeBuck

Charley Markham Seal

AFTER 5 DAYS RETURN TO
ORR & NOEL,
ATTORNEYS-AT-LAW,
JONESVILLE, VA.

*Evidence of debt
filed against Charles
Warham deed.*

~~Mr. G. R. Jackson,~~

~~Flat Lick,~~

Delusk vs P. M. Ball Schur &c. et al.
J. L. Flanery watch by Charley Warkohm.

Dated Feb 15th 1902. One day after date and
under seal for \$800

to be to Mathe Wilson July 13th 1898, due in
6 Mos. July 13th 1898, (Seal only at end of
signature) for (amended amount) \$28.00
"Purchase money on land for J. V. Kelly".

to be to E. S. Flanery & Madison Cooney
Feb 4th 1899. & due one day after date,
for \$63.00, raising homestead.
Crs May 26th 1900 \$20.00 & \$17.00 July 1st 1901.

Warkohm died, Oct 4th 1903.

Memo.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

J. M. Ball Admr. of Char-
ley Washburn, deceased, Wra M. Washburn,
Ber. J. Washburn and Laura K. P. Washburn

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the 1st Monday in June, 1905, to answer a bill in chancery exhibited against them

in our said Court by A. K. Debussk

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 29th
day of May, 1905, and 1st year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

A. K. Debusk

VS

}

SUBPOENA
IN
CHANCERY.

P. M. Ball, Admr.

Orr Thol p. q

To 2nd June Rules.

See Circuit Court.

Executed by drawing an
attested Copy on P. M. Ball

M. D. Dunning
May 30 - 1905 D. S.